IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN
&
THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 17TH OCTOBER 2007 / 25TH ASWINA 1929

MACA.No. 1790 of 2007

OPMV.48/2003 of MOTOR ACCIDENT CLAIMS TRIBUNAL, PALA

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APPELLANT/1ST RESPONDENT

THIRUVALLUVAR TRANSPORT CORPORATION,
NOW KNOWN AS STATE EXPRESS TRANSPORT CORPORATION,
TAMILNADU LTD., CHENNAI-2, REPRESENTED BY ITS
MANAGING DIRECTOR.

BY ADV. SRI.SUBHASH CYRIAC

RESPONDENTS: PETITIONER/RESPONDENT 2 AND 3
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1. SMT. SUKUMARIAMMA, W/O RAGHAVAN NAIR,
VELLAPPILLIL HOUSE, PALA, KOTTAYAM DIST.

2. MANOJ K.V.,
SREENILAYAM, PALA.

3. THE NATIONAL INSURANCE COMPANY LTD.,
KOTTAYAM.

BY

THIS MOTOR ACCIDENT CLAIMS APPEAL HAVING BEEN FINALLY HEARD ON 17/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.S.RADHAKRISHNAN & A.K.BASHEER, JJ.

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M.A.C.A.No.1790 OF 2007

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Dated this the 17th day of October, 2007

JUDGMENT

Radhakrishnan, J

The appellant was the first respondent in the claim petition O.P. (MV)No.48/03. Claimant is the mother of the deceased who died in accident involving a vehicle belonging to the appellant. Deceased was aged 30 years at the time of the accident. He was engaged in the business of rubber and finance. In para 10 of the order, Tribunal has discussed about the manner in which the compensation amount was awarded. It was noticed that the age of first claimant/mother was 50 years at the time of the accident. Therefore, the Tribunal took the multiplier for the age group of 50 to 55 i.e., 11. Tribunal awarded Rs.2,19,000/- as total compensation.

Considering the entire facts and circumstances of the case, we are of the view that the amount awarded by the Tribunal is just and proper. We are not inclined to interfere with the award passed by the Tribunal. This appeal lacks merit and is dismissed.

K.S.RADHAKRISHNAN, JUDGE

A.K.BASHEER, JUDGE

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